

AMENDED IN SENATE MARCH 14, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 107**

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**Introduced by Committee on Budget (Blumenfield (Chair), Alejo, Allen, Brownley, Buchanan, Butler, Cedillo, Chesbro, Dickinson, Feuer, Gordon, Huffman, Mitchell, Monning, and Swanson)**

January 10, 2011

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~~An act relating to the Budget Act of 2011. An act calling an election, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 107, as amended, Committee on Budget. ~~Budget Act of 2011.~~  
*Special election.*

*Existing law provides that the Secretary of State is the chief elections officer of the state and requires the Secretary of State to perform specified duties, including preparing and mailing ballot pamphlets, in connection with any statewide election. Existing law requires that every measure submitted to the voters comply with a specified schedule leading up to the day of the election.*

*This bill would call a statewide special election to be held on June 7, 2011, and would require the Secretary of State to place before the voters at that election a legislative constitutional amendment, as specified, relating to local government finance. In addition, the bill would waive certain statutory deadlines in relation to the placement of that measure before the voters at the June 7, 2011, statewide special election. The bill would also provide that funds necessary to pay the claims of local agencies arising from their costs incurred to conduct the June 7, 2011, statewide special election shall be included in the Budget Act of 2011 or in another statute.*

*This bill would declare that it is to take effect immediately as an act calling an election.*

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2011.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. A statewide special election is hereby called to*  
2     *be held on June 7, 2011. Notwithstanding Sections 10403 and*  
3     *10406 of the Elections Code or any other provision of law, any*  
4     *county, municipal, district, or other election scheduled to be held*  
5     *on June 7, 2011, may, at the discretion of the appropriate local*  
6     *officials, be consolidated with the statewide special election called*  
7     *by this act.*

8     *SEC. 2. Notwithstanding the requirements of Section 9040 of*  
9     *the Elections Code or any other provision of law, and in*  
10    *accordance with other provisions of the Elections Code and the*  
11    *Government Code governing the submission of a statewide measure*  
12    *to the voters that are not inconsistent with this act, the Secretary*  
13    *of State shall submit Assembly Constitutional Amendment 2 or*  
14    *Senate Constitutional Amendment 1, as applicable, of the 2011–12*  
15    *First Extraordinary Session to the voters at the statewide special*  
16    *election called by this act to be held on June 7, 2011.*

17    *SEC. 3. Notwithstanding Sections 13115 and 13117 of the*  
18    *Elections Code, Assembly Constitutional Amendment 2 or Senate*  
19    *Constitutional Amendment 1, as applicable, of the 2011–12 First*  
20    *Extraordinary Session shall be placed as the first ballot measure*  
21    *on the June 7, 2011, statewide special election ballot and shall be*  
22    *designated as Proposition 28.*

23    *SEC. 4. (a) The Secretary of State shall include in the ballot*  
24    *pamphlets for the June 7, 2011, statewide special election, mailed*  
25    *pursuant to Section 9094 of the Elections Code, the information*  
26    *specified in Section 9084 of the Elections Code regarding*  
27    *Proposition 28.*

28    *(b) In accordance with Sections 9092 of the Elections Code,*  
29    *not less than 20 days before submitting the copy for the ballot*  
30    *pamphlet to the State Printer, the Secretary of State shall make*  
31    *the copy available for public examination.*

1     (c) *Notwithstanding Sections 9054 and 13282 of the Elections*  
2     *Code or any other provision of law, the ballot labels required*  
3     *pursuant to Section 13282 and the translations of the ballot*  
4     *materials required pursuant to Section 9054 may be made available*  
5     *for public examination at a later date than the start of the public*  
6     *examination period for the ballot pamphlet, provided that the*  
7     *ballot labels and translations of the ballot materials must remain*  
8     *available for public examination for eight days.*

9     *SEC. 5. The funds necessary to pay the claims of local agencies*  
10    *arising from their costs incurred to conduct the June 7, 2011,*  
11    *statewide special election shall be included in the Budget Act of*  
12    *2011 or in another statute.*

13    *SEC. 6. This act calls an election within the meaning of Article*  
14    *IV of the Constitution and shall go into immediate effect.*

15    ~~SECTION 1. It is the intent of the Legislature to enact statutory~~  
16    ~~changes relating to the Budget Act of 2011.~~